

**FINDINGS AND ORDER OF THE AIRPORT LAND USE COMMISSION
COUNTY OF LOS ANGELES**

AVIATION CASE NO. 200600001
PROJECT NO. R2006-03145-(5)

COMMISSION HEARING DATE: January 23, 2013

SYNOPSIS:

Airport Land Use Commission (ALUC) review of the Burbank 2035 General Plan Project (Plan) is necessary because the Los Angeles County Airport Land Use Plan (ALUP) follows State law which requires that general plans and specific plans of jurisdictions that include public use airports be consistent with the ALUC land use policy. Once an Airport Land Use Compatibility Plan (ALUCP) is adopted, local agencies must submit these plans for a consistency determination. The project therefore must be reviewed for consistency with the policies of the adopted Los Angeles County Airport Land Use Plan (ALUP). The ALUP is also known as the Airport Land Use Compatibility Plan (ALUCP).

PROCEEDINGS BEFORE THE AIRPORT LAND USE COMMISSION

January 23, 2013, Public Hearing

(To be completed after the hearing)

FINDINGS:

1. The State Aeronautics Act Section 21670, et seq. of the California Public Utilities Code (PUC) requires every county in which there is an airport served by a scheduled airline to establish an ALUC.
2. Pursuant to Section 21670.2 of the PUC, the Los Angeles County Regional Planning Commission has the responsibility for acting as the ALUC for Los Angeles County.
3. In 1991 the Los Angeles County ALUC adopted the Los Angeles County Airport Land Use Compatibility Plan (ALUCP) that sets forth policies, maps with planning boundaries, and criteria for promoting compatibility between airports and the land uses that surround them.
4. Public Utilities Code 21676 requires that each local agency whose general plan includes areas covered by an airport land use compatibility plan shall submit a copy of its plan or specific plan to the ALUC for determination on whether the plan is consistent with the ALUCP.
5. The 1991 Los Angeles County ALUCP includes Burbank/Glendale/Pasadena Airport, which was renamed Bob Hope Airport in 2003 in honor of entertainer Bob Hope.

6. The Bob Hope Airport is located in the City of Burbank and the City of Los Angeles.
7. The ALUCP contains policies and criteria to minimize the public's exposure to excessive noise and safety hazards.
8. The ALUCP establishes an Airport Influence Area (AIA) for Bob Hope Airport, which is defined by the airport property, the area within the four designated Runway Protection Zones (RPZ) and the 65dB CNEL noise contour. The AIA defines the area of interest to the ALUC.
9. Pursuant to Section 21676 (a) and (b), 21676.5 (a) and (b) of the PUC and Section 65302.3 of the Government Code, the County ALUC has the responsibility to review specific plans, general plan amendments, zoning ordinances, and related development proposals within the established airport influence area for consistency with the adopted ALUCP, before final action is taken by the local agency.
10. With the language to be added to the final adopted version in the Land Use Element and Plan Realization Element of the Plan, the Plan is consistent with the ALUCP (**see Attachment 12**) for the following reasons:
11. The Plan is consistent with ALUCP Policy G-1, which requires new uses to adhere to the Land Use Compatibility Table. The Plan includes a land use compatibility table (Table N-3) places the same types of restrictions on development within the AIA as the ALUCP.
12. The Plan is consistent with ALUCP Policy G-2, which requires recycling of incompatible land uses to uses which are compatible with the ALUCP, pursuant to the Land Use Compatibility Table. The Land Use Compatibility Table lists new residential uses in the 65 dB CNEL as compatible provided sound insulation needs are reviewed, and lists educational facilities as not compatible. Policy 5.1 of the Plan prohibits incompatible uses related to noise and Policy 7.1 states: *Maintain consistency with the ALUCP as it pertains to Bob Hope Airport* and therefore deemed consistent with the ALUCP.
13. Policy G-4 of the ALUCP prohibits projects that would affect safe air navigation into the airport. The Plan does not include devices or structures that would negatively affect safe air navigation and is therefore consistent with ALUCP Policy G-4.
14. The Plan is consistent with Policy N-1, which requires that the CNEL method for measuring noise impacts near airports be used in determining suitability for various types of land uses. The project incorporated the CNEL method to determine transportation noise levels in the City of Burbank.
15. The Plan is consistent with Policy N-2, which requires a maximum allowable interior noise level of 45 dB in new residential, educational, and health-related

uses in areas subject to exterior noise levels of 65 dB CNEL or greater.

16. The Plan is consistent with ALUCP Policy N-4, which encourages local agencies to adopt procedures to ensure that prospective property owners in aircraft noise exposure areas above a current or anticipated 60 dB CNEL are informed of these noise levels and of any land use restrictions associated with high noise exposure.
17. The Plan is consistent with Safety Policy S-1, which establishes “runway protection zones” contiguous to the ends of each runway. These runway protection zones shall be identical to the FAA’s runway protection zone (formally called clear zone). The project does not propose any development within or changes to the established runway protection zones for Bob Hope Airport.
18. The Plan is consistent with Safety Policy S-2, which prohibits above ground storage of more than 100 gallons of flammable liquids or toxic materials on any one net acre in a designated runway protection zone. The project does not propose any development within the runway protection zones for Bob Hope Airport.
19. The Plan is consistent with Safety Policy S-3, which prohibits, within a runway protection zone, any use which would direct a steady light of red, white, green or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following take-off or toward an aircraft engaged in a final approach toward landing at an airport. The project does not include any uses that would direct steady light of red, white, green or amber colors toward any runway protection zone at Bob Hope Airport
20. The Plan is consistent with Safety Policy S-4, which prohibits, within a runway protection zone, the erection or growth of objects which rise above an approach surface unless supported by evidence that it does not create a safety hazard and is approved by the FAA. The project does not propose any erection or growth of objects which rise above the approach surface in any Bob Hope Airport runway protection zone
21. The Plan is consistent with ALUCP Policy S-5, which prohibits uses which would attract large concentrations of birds, emit smoke, or which may otherwise affect safe air navigation. The project does not propose uses which would attract large concentrations of birds
22. The Plan is consistent with Policy S-6, which prohibits uses which would generate interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation. The project does not propose uses which would generate electrical interference.
23. The Plan is consistent with ALUCP Policy S-7 which requires that projects comply with the height restriction standards of the FAA through FAR Part 77 because Height Ordinance No. 3663 (**Attachment 11**) concurs with the FAR Part 77.

BASED ON THE FOREGOING, THE AIRPORT LAND USE COMMISSION DETERMINES: In view of the findings of fact and conclusions presented above, that the project presented in Aviation Case No. 200600001/Project No. R2006-03145-(5) is **CONSISTENT** with the Los Angeles County Airport Land Use Plan.

VOTE:

Dissenting:

Abstaining:

Absent:

Action Date: **01/23/13**